

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARNITHA HILL; TIANA FIELDS;
ANTHONY GRANDERSON;
BREJONNA GRANDERSON;
MONTEAL GRANDERSON; UNIQUE
FIELDS; MARLO HILL,

Plaintiffs,

v.

CITY OF SACRAMENTO; SGT.
ROBERT HAMM, #3018; OFFICER
ISREAL DELGADO, #358; OFFICER
BRETT MELLOCH, #602; OFFICER
DEREK CALABRESE, #1005; OFFICER
ERIC NEDELJKOVIC; OFFICER
JOSEHO SWALEH, #900,

Defendants.

No. 2:22-cv-01625-DJC-AC (PS)

ORDER

Plaintiffs are proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On July 6, 2023, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 28.) Plaintiffs have filed objections to the findings and recommendations. (ECF No. 29.)

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
2 304, this Court has conducted a de novo review of this case. Having carefully
3 reviewed the entire file, the Court finds the findings and recommendations to be
4 supported by the record and by proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations filed July 6, 2023 (ECF No. 28) are
7 ADOPTED in full;

8 2. The motions to dismiss (ECF Nos. 17, 19) are GRANTED and the First
9 Amended Complaint (ECF No. 16) is DISMISSED;

10 3. Plaintiffs Arnitha Hill, Tiana Fields, Unique Fields, and Brejonna Granderson
11 are granted leave to file a Second Amended Complaint containing two claims:
12 (1) Plaintiff Arnitha Hill's Fourth Amendment unreasonable detention claim,¹ and (2)
13 Plaintiffs Arnitha Hill, Tiana Fields, Unique Fields, and Brejonna Granderson's
14 negligent infliction of emotional distress claim. All other claims are dismissed without
15 leave to amend. The Second Amended Complaint should be filed within 30 days of
16 the date of this order.

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18 IT IS SO ORDERED.

19 Dated: **January 4, 2024**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE

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27 ¹ While the Court is dismissing Plaintiff Arnitha Hill's Fourteenth Amendment deliberate indifference
28 claim as to her medical needs during detainment, she may incorporate any details regarding the denial
of her medical equipment into her Fourth Amendment unreasonable detention claim. (See ECF No. 28
at 11-12.)